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| Notice of Allowability | Application No. | Applicant(s) | |
| | 09/712,844 | SHIMAWAKI, KAZUHIRO | |
| | Examiner | Art Unit | |
| | Jason M Perilla | 2634 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed March 18, 2005.
2. ☒ The allowed claim(s) is/are 1, 6, 11 and 16 renumbered respectively as claims 1-4.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date <u>20050406</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. Claims 1, 6, 11, and 16 are pending in the instant application, claims 2-5, 7-10, 12-15, and 17-20 are withdrawn as containing non-elected subject matter.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kenneth M. Berner on April 6, 2005.

The application has been amended as follows:

Regarding claim 1, in lines 8-9, "with expectation data" is replaced by –with the expectation data--.

Regarding claim 6, in lines 8-9, "with expectation data" is replaced by –with the expectation data--.

Regarding claim 11, in lines 9-10, "with expectation data" is replaced by –with the expectation data--.

Regarding claim 16, in lines 8-9, "with expectation data" is replaced by –with the expectation data--.

3. This application is in condition for allowance except for the presence of claims 2-5, 7-10, 12-15, and 17-20 non-elected without traverse. **Accordingly, claims 2-5, 7-10, 12-15, and 17-20 have been cancelled.**

Claims 1, 6, 11, and 16 are renumbered as claims 1-4, respectively.

4. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: In figures 1 and 4, the text labels "FIGURE 1" and "FIGURE 2" should be read left to right in the same orientation as the remainder of the drawing pursuant to CFR 1.84 (i). In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Allowable Subject Matter

5. Claims 1, 6, 11, and 16 renumbered as claims 1-4 are allowed.

6. The following is an examiner's statement of reasons for allowance:

Claims 1, 6, 11, and 16 are allowed because the prior art of record does not anticipate or obviate a synchronizer which finds a first synchronization pattern and accordingly records a first synchronism timing, and upon the verification of an inconsistency in phase corresponding to the first synchronism timing, searches for a second synchronization pattern after the first synchronization pattern is detected again.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following prior art of record is cited to show the current state of the art with respect to synchronization pattern recognizers.

U.S. Pat. No. 6865240 to Kawataka.

U.S. Pat. No. 6771615 to Park et al.

U.S. Pat. No. 6546065 to Shimosakoda.


U.S. Pat. No. 6104770 to Yama.

U.S. Pat. No. 5228036 to Okamoto et al.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M Perilla whose telephone number is (571) 272-3055. The examiner can normally be reached on M-F 8-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (571) 272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jason M. Perilla
April 6, 2005

jmp


CHIEH M. FAN
PRIMARY EXAMINER